United Nations CEDAW/C/SR.1477

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
1 March 2017

English only

Committee on the Elimination of Discrimination against Women
Sixty-sixth session

Summary record of the 1477th meeting
Held at the Palais des Nations, Geneva, on Thursday, 16 February 2017, at 3 p.m.

Chair: Ms. Leinarte

Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of Jordan (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of the present document* to the English Translation Section, room E.6040, Palais des Nations, Geneva (trad_sec_eng@unog.ch).

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.17-02526 (E) 270217 010317

1702526

Please recycle

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of Jordan (continued) (CEDAW/C/JOR/6; CEDAW/C/JOR/Q/6 and Add.1)

1. *At the invitation of the Chair, the delegation of Jordan took places at the Committee table.*

2. **The Chair** invited the delegation of Jordan to continue with their replies to questions put by members at the Committee's 1476th meeting.

Articles 7 to 9 (continued)

3. **Ms. Majali** (Jordan) said that since women's quotas had first been introduced in 2003, Jordan had seen a steady increase in the number of women participating in political life. The quota of 15 female members of Parliament had been not only met, but surpassed, with 20 women obtaining seats in the most recent parliamentary elections. The quota set under the Decentralization Act of 47 seats for women at the national, governorate and municipal levels was a minimum, not a maximum. A total of 52 per cent of women were registered to vote; of those, 37 per cent had voted in the past year's elections. Those trends were indicative of positive change in the perception of women by society as a whole. Nevertheless, some Members of Parliament and even certain sectors of civil society continued to oppose the establishment of quotas. The process of amending legislation in favour of women was ongoing; she was optimistic that given the Government's continued push for progress, achieving the goal of 30 per cent of women across all levels of government was merely a matter of time.

4. **Ms. Nims** (Jordan) said that the National Commission for Women was seeking to increase women's quotas in all electoral legislation. It was just as important to build the capacity of potential female candidates and thus increase their chances of winning elections. With that in mind, the Commission had also provided training to 319 potential female candidates to help them to improve their leadership skills and learn how to effectively run a campaign for office. Of the 20 women elected in the 2016 parliamentary elections, 14 had benefited from such training. It was crucial not only to help women get elected, but to ensure that those elected were committed to defending women's issues.

5. **Mr. Tawalbeh** (Jordan) said that, under Jordanian law, it was not possible for a child to be born stateless. If a child was born in Jordan to a non-Jordanian father whose nationality was known, the child would acquire his father's nationality; if, on the other hand, the father was of unknown nationality or was stateless, the child would be granted Jordanian citizenship. Children whose parents were unknown were also automatically granted citizenship. There were no laws that expressly permitted the withdrawal of citizenship, and the executive branch generally did not have such powers; however, such measures could be taken on an ad hoc basis. A person whose citizenship was revoked under such circumstances could challenge the decision by providing proof of his or her legal status.

6. With regard to sharia courts, as a result of a series of civil status reforms, the number of girls in centres for victims of domestic violence had increased. At those centres, girls were provided with job opportunities. In 2016, a number of vacancy announcements had been published in Jordanian newspapers and a large number of both men and women had submitted applications, which had been considered without regard for gender. More detailed statistics would be made available if required.

7. **Ms. Haidar** said that she would like the delegation to confirm her understanding that if a Jordanian woman married a Palestinian refugee who had not been granted Jordanian citizenship and had children with him, the children would be granted Jordanian nationality at birth.

8. **Ms. Acosta Vargas** said that it would be interesting to learn whether women judges could be appointed to religious courts. As for women's political representation at the international level, she welcomed the fact that 11 per cent of Jordanian ambassadors were women; nevertheless, parity was still far from being a reality. She wondered whether Jordan was considering adopting measures to further encourage the participation of women in international politics. Lastly, with regard to Security Council resolution 1325 (2000), she would be grateful for detailed information on women's participation in security and peacekeeping forces.

9. **Ms. Majali** (Jordan) said that while parity had not yet been achieved in international political posts, the number of women in such posts was nonetheless steadily rising and was expected to do so more quickly over the next several years given the currently large pool of mid-career women. It was also noteworthy that female ambassadors had been serving in the most important posts, including in Washington, D.C., and New York City. Her Government was exceptionally proud that the Permanent Representative of Jordan to the United Nations had been the first Arab woman to preside over the Security Council. In general, the lack of parity was not the result of discrimination, but simply a question of time.

10. **Mr. Tawalbeh** (Jordan) said that, if a child was born to a Jordanian woman who was married to a stateless Palestinian refugee, that child would be granted Jordanian citizenship. Recent reforms had led to the appointment of a large number of women judges; it was hoped that that number could be further increased. As for the appointment of female judges to family courts, all citizens, regardless of gender, enjoyed equal employment opportunities.

11. **Ms. Nims** (Jordan) said that there were no Jordanian laws that prevented the appointment of female judges to sharia courts. With regard to Security Council resolution 1325 (2000), women participated in peacekeeping forces all around the world. In Jordan, they accounted for 6 per cent of army personnel, less than 1 per cent of police officers and 5 per cent of other operational security positions. A study had been undertaken to explore ways to achieve gender mainstreaming in accordance with the national strategic plan to increase women's participation in military activities, especially peacekeeping.

12. **Ms. Haidar** said that while Jordanian law may not explicitly prevent women from being appointed as judges in sharia courts, it was crucial to seek a better balance and, ultimately, parity of men and women within all courts.

Articles 10 to 14

13. **Ms. Verges** said that she commended the Government of Jordan on its ongoing efforts to uphold human rights, especially given the recent influx of refugees, which required the investment of additional resources. The steps taken to ensure education for all were especially noteworthy. The Committee would be grateful for information on the measures taken, if any, since the completion of the National Strategy for Education for the period 2009-2013 in order to improve education and on any obstacles to putting such strategies in place. Updated statistics on the period since the 2012/13 academic year would also be appreciated. Noting that, in 2015, 30 per cent of refugee children had dropped out of school, she suggested that further preventive steps should be taken to reduce the dropout rate and combat illiteracy — two closely linked issues. She would welcome clarification on whether, during the 2012/13 school year, the dropout rate had fallen by or to 0.3 per cent. It would be useful to learn whether female students were being channelled into fields of

education that were traditionally reserved for women and whether the Government had considered tailoring educational programmes to market requirements and had studied how such a change might affect women. Further efforts were needed to close the significant gap between boys and girls in terms of access to vocational training.

14. **Ms. Patten** said that it would be interesting to learn whether the results of the Government's 2013-2016 action programme designed in part to boost women's participation in the labour market had been assessed and whether there were plans to adopt a new action programme. In the light of the persistently low rate of participation of women in the labour market, she would appreciate information on any specific measures aimed at addressing women's exclusion from the labour market, their employment in precarious, low-paid jobs and discrimination against them in relation to recruitment, promotion and retirement age. Did the Government plan to adopt equal opportunity laws or to take temporary special measures to enhance women's participation in the labour market and to ensure compliance by the public and private sectors?

15. The Committee would welcome information on how many women in urban and rural areas had benefited from vocational training programmes in areas that matched the needs of the job market and data on the number of women who had found employment or started their own businesses following such training. Additional information on the steps being taken to close the gender pay gap and promote job evaluation schemes with gender-neutral criteria would be appreciated. It would also be useful to know whether there were any mechanisms in place to adjudicate matters relating to wage discrimination or plans to establish such a mechanism. Did the Government intend to adopt legislation to guarantee the rights of women and men to equal pay for equal work or work for equal value?

16. She would like to know what specific measures had been taken to eliminate occupational segregation, to promote the equal participation of women in highly skilled jobs and senior management positions and to stimulate their upward mobility in the labour market. It would be interesting to hear about any measures that were being taken to widen the range of occupational choices available to both women and men and to encourage women to take up non-traditional jobs.

17. She commended the Government on the pioneering measures it had taken with regard to migrant domestic workers. Nevertheless, according to information received by the Committee, there were many cases of systematic abuses against such workers, which allegedly resulted from a recruitment system in which both employers and recruitment agencies prevented workers from asserting their rights and a work environment that isolated workers and engendered dependency on employers and recruitment agencies under laws that made leaving a job a punishable offence. In that connection, she would like to know whether Jordan intended to become a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families or to the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189). It would be useful to learn about any measures being taken to improve the monitoring of employers and recruitment agencies, to investigate labour violations and to impose fines to the full extent of the law. In addition, she wondered if there were plans to review the law that provided for a fine for each day a foreigner overstayed his or her legal residency and to exempt from the payment of fines any migrant domestic workers who credibly alleged abuse and to allow them to leave the country.

18. Child labour remained a matter of serious concern. She would welcome information on any additional measures taken since the publication of the results of the 2016 national child labour survey. She would also like to know whether the Government had incorporated the elimination and prevention of child labour into the national agenda and to what extent the Government had made public information about the training provided to labour

inspectors, criminal investigations on the worst forms of child labour and the penalties inflicted for violations.

19. **Ms. Arocha Domínguez** said that, although the State party had made commendable efforts to improve women's health, rates of maternal mortality and fertility nevertheless remained high for a country with a relatively highly educated female population. She would welcome updated statistics on the rates of maternal mortality, fertility and adolescent pregnancy in rural and urban areas and in national and foreigner populations. She would also like to know how many women had been imprisoned for having an illegal abortion and whether the Government was considering decriminalizing abortion, at least in cases of serious fetal malformation and pregnancies resulting from rape or incest.

20. It would be useful to learn whether there was a global inter-institutional strategy on sexual and reproductive health and rights and, if so, how the Government planned to involve families and communities in the success of that strategy. The fact that AIDS was currently more prevalent in the non-Jordanian population was no guarantee against its spread to the rest of the population; therefore, she would also like to know whether there were plans to incorporate information on HIV/AIDS into a single sexual health programme. Lastly, she would appreciate it if the delegation could indicate whether educational initiatives on sexual and reproductive health, including the prevention of sexually transmitted infections, specifically included female domestic workers as a target group.

21. **Ms. Nims** (Jordan), responding to a question put by Ms. Verges, said that, during the 2012/13 school year, the dropout rate had indeed been 0.3 per cent. Jordan was proud of its successful efforts to close the gender gap in education. Expanding access to vocational training had nonetheless been challenging, as many families were reluctant to allow their children — of either gender — to enter the vocational job market. Her Government was now seeking ways in which to translate the education of women into more diversified participation in economic life. The economic programme Jordan 2025 included the goal of 25 per cent women's participation in the labour market; to achieve that ambitious goal, the Government was seeking ways to help women enter sectors of the economy where flexible working arrangements were available, such as the information and technology sector.

22. The National Steering Committee on Pay Equity had focused its efforts not only on achieving pay equity but on creating a friendlier working environment for women, including access to day care and maternal leave and a clear definition of sexual harassment. After reviewing all employment legislation, in 2014, the Committee had recommended a number of crucial employment-related legislative amendments. Unfortunately, only one of those amendments had been submitted for consideration by the parliament; it was hoped that the bill in question could be withdrawn with a view to including additional amendments in a subsequent bill. A national strategy for protecting children from forced labour was under discussion.

23. Sexual and reproductive health education was provided in secondary school science classes. That was, admittedly, not early enough, especially given the number of early marriages in Jordanian society; even worse, some teachers reportedly preferred simply to skip that section of the curriculum. It was therefore necessary to work more closely with teachers and to seek civil society support in reaching out to communities. Regarding HIV/AIDS specifically, while the national AIDS control strategy for the period 2012-2016 had resulted in a number of successful initiatives, additional campaigns were needed to raise public awareness about all types of sexually transmitted diseases and further efforts were needed to combat discrimination against those living with AIDS.

24. **Ms. Majali** (Jordan) said that Jordan had invested considerably in efforts to protect children, including refugees, from child labour, and to achieve their successful social integration. A national framework for combating child labour had been established. The

Ministry of Labour, together with ILO, had launched a pilot project in three governorates. Of all child labourers below the age of 17, there were approximately 75,000 Jordanians, 12,000 Syrians and 4,000 children of other Arab nationalities. The Ministry of Labour had intensified inspections of agencies that were known to recruit children: thus, between January 2015 and September 2016, some 5,000 inspections had been conducted; 1,320 child labourers had been discovered, mainly in the wholesale sector, but also in retail and restaurants; and 117 warnings had been issued. Employers had also been contacted and made to commit not to hire child labourers in the future. Lastly, a steering committee had been set up to conduct a national survey of child labour.

25. In an effort to reduce the dropout rate in the refugee population, free elementary education and school meal programmes were being offered. Some 170,000 Syrian children were now attending school. Social workers were being given special training and assigned to schools to assist with cases of dropouts.

26. The National Steering Committee on Pay Equity had several offices throughout Jordan and was assisting with the various dialogues under way in the country. A position paper had also been developed on proposed amendments to the Labour Code in order to prevent labour discrimination.

27. **Ms. Nims** (Jordan) said that there were larger numbers of women in the fields of health and education because women had historically been drawn to the public sector, which provided better stability and benefits. However, times had changed and women needed flexibility to work in various sectors. The challenge lay not only in encouraging women's economic participation, but also in improving the job opportunities available to them, including in the private sector.

28. **Ms. Majali** (Jordan) said that a by-law adopted in 2009 provided for a number of benefits for domestic workers, including medical insurance, paid annual leave and an eight-hour workday. A total of 847 complaints had been received by the relevant labour inspection authorities; 842 of those had already been processed. A total of 10 offices that had been shut down and steps continued to be taken at the national level to improve protection for all workers.

29. **Ms. Verges** said that, despite gains in the educational sector, there was still clearly a problem of discrimination given the school dropout rate and the low number of women represented in leadership positions in higher education institutions. The Government also needed to further improve women's access to training scholarships overseas, which should be awarded without regard for family circumstances. It was important to include education on gender stereotypes in school curricula and to involve women in awareness-raising campaigns to promote equality.

30. **Ms. Ameline**, noting the State party's perpetual shortage of water and energy, made even more acute in a time of crisis, she wondered if and, if so, how the Jordanian Government was involving women as decision makers in sustainable development strategies.

31. **Ms. Arocha Dominguez** said that rather than a summary of the measures already adopted by Jordan to prevent and combat HIV/AIDS, she was interested in learning what steps had been taken by the Government to improve on past strategies, for instance, plans to introduce a programme on sexually transmitted diseases into the general school curriculum. It was important to reach out not only to the most vulnerable groups, but to the entire population.

32. **Ms. Nims** (Jordan) said that it was clear that the culture of the academy would have to change in order to allow larger numbers of women to access leadership positions in the educational hierarchy. Responding to an earlier question put by Ms. Arocha Dominguez,

she said that abortion was already permissible in cases of serious fetal malformation or where pregnancy endangered the woman's life. Various proposals for amendments to the Penal Code had been made to allow for abortion in cases where pregnancy resulted from incest; although such issues were highly controversial in Jordanian society, it was hoped that the amendments would soon be made.

13. **Ms. Majali** (Jordan) said that, as part of a project to increase women's participation in the economic development of poverty pockets, a woman had studied engineering and, on completion of her studies, had introduced solar energy to power her whole community. A large proportion of the budget for the Government response plan to the Syrian crisis for the period 2017-2019 had been allocated to energy-related issues. Women clearly had a role to play in that field, but they would require training in order to participate fully. The Government was aware that, despite the fact that there were 9 schools in the camps and 98 external schools running double shifts, many refugee children ended up dropping out of school. Research into the reasons for dropout had been carried out by the Ministry of Education in conjunction with the United Nations Children's Fund (UNICEF) and civil society partners, and, as a result, remedial education programmes for students who had missed a lot of school, back-to-school campaigns and a school feeding programme had been introduced.

14. **Ms. Nims** (Jordan) said that there had been a focus on gender mainstreaming in the country's climate change policy. In 2016, an important conference had been held on climate change from a gender perspective, with the participation of many female experts. A memorandum of understanding had been signed by the parties with a view to obtaining Government support to achieve mainstreaming. The Government needed to cooperate with civil society organizations in order to draw on their experience and expertise in that field.

15. **Mr. Tawalbeh** (Jordan) said that, under the Civil Service Code, women had equal opportunities to apply for internal or external scholarships, and application criteria for such programmes made no reference to gender.

16. **Ms. Arocha Dominguez**, referring to article 13 of the Convention, said that, while she welcomed the many measures taken to provide women with economic support, such as access to microcredits, the number of beneficiaries was rather low, and the amounts provided seemed insufficient to achieve real economic autonomy and guarantee the sustainability of any businesses set up. She would therefore be interested to know whether there had been any evaluation of the impact of those measures. She would appreciate details on the procedures under which women could combine their pensions with their entitlement to their husbands' or parents' pensions, how that system was regulated and how many women availed themselves of that possibility. She wondered whether the State party had given any consideration to increasing the compulsory age for retirement for women, or making it optional rather than compulsory, given that many women were at a disadvantage, as they had to retire earlier than men but earned less and tended to live longer.

17. **Ms. Song**, referring to article 14 of the Convention, said that the State party was to be commended on its efforts to promote rural women's empowerment. Nonetheless, rural women continued to face major economic, social and cultural challenges, including high unemployment. She wished to know what measures had been taken to address the low level of ownership of agricultural land by rural women and what results had been achieved. She asked whether the goal of a 25 per cent increase in the number of women in decision-making positions in village councils and cooperative associations had been achieved. She wondered whether rural women in leadership positions received leadership training systematically and whether there were any support services to facilitate their political participation. She wondered what legal remedies and support and complaint mechanisms were available to rural women whose rights had been violated. Welcoming the issuance of the fatwa prohibiting the sterilization of girls with disabilities in 2014, she would appreciate

an update on the status of the relevant amendments to the Penal Code and Code of Criminal Procedure.

38. **Ms. Nims** (Jordan) said that, although women currently accounted for approximately 25 per cent of the beneficiaries covered under the Social Security Act, the goal was, of course, to achieve parity. It was true that women continued to be discriminated against under the pension system, but efforts were being made to rectify the situation. The situation with regard to microcredit was complex, and policies in that area would be reassessed to ensure that women were economically independent and had a say in managing their income and resources. Efforts were being made to raise public awareness about the issue, but challenges remained. Women were being encouraged to participate in cooperatives, where they were provided with skills training in areas such as e-commerce and international trade. Twenty such cooperatives had been set up. Training courses to prepare women for participation in political decision-making were being run across the country. The Government was endeavouring to allocate gender-sensitive budgets and promote decentralization so that women could play a stronger role at local level. Government institutions were represented across the country, and the National Centre for Human Rights also had branches nationwide. A bill on the protection of persons with disabilities was being debated by the parliament, and persons with disabilities had been consulted during the drafting stage.

39. **Mr. Tawalbeh** (Jordan) said that forced sterilization was a criminal offence, and there were plans to amend the law to afford greater protections to persons with disabilities against such crimes. The rights of persons with disabilities were protected under Jordanian legislation; persons with disabilities could file complaints and claim compensation if they were subjected to violations or physical harm. Access to justice was provided free of charge. Under the Personal Status Act, women were considered independent financial actors, and all women and girls had the legal right to own land.

Articles 15 and 16

40. **Ms. Patten** said that she would be grateful for an update on the status of the proposed amendments to the 2010 Personal Status Act proposed by the National Commission for Women aimed at repealing discriminatory provisions of the Act. It was a matter of concern that women were still treated like minors under the law when it came to marriage and could not marry without the consent of a guardian. The fact that, even when they waived their financial rights, women could not initiate divorce proceedings without the permission of a guardian meant that they were often trapped in abusive marriages, and they faced considerable challenges in custody battles. She wondered whether there had been any research into the impact of guardianship on women and whether there were any plans to relax or repeal the guardianship system. Was the Government engaging with religious scholars and leaders from other countries in the region that had managed to reconcile their Convention obligations with sharia law?

41. She would be interested to know the rationale behind maintaining the reservation to article 16 (1) (d) of the Convention on men and women's equal rights and responsibilities as parents. Had there been a serious discussion on the impact of the reservation on mothers? How were the best interests of the child ensured when mothers simply lost custody if they remarried? What were the reasons for maintaining article 62 of the Penal Code, under which permission to perform surgery on minors could be exclusively given by male guardians? She would be grateful for details of the study on the right to inheritance and to pursue claims mentioned in the report, including who had conducted it and to whom the findings and recommendations would be submitted. She wished to know what was preventing the review and amendment of civil law in relation to the right of Christian women to inherit property from their Muslim husbands. She asked whether the Alimony

Fund was operational, what resources had been allocated to it, whether there had been any evaluation of its results, and how many women had received alimony through the Fund.

42. Although the minimum age of marriage was 18, judges had the discretion to allow marriages at the age of 15. She inquired whether data was being collected on the number of applications for early marriage being made, how many were successful and whether judges were exercising their discretion judiciously. Were there any plans to review the law to give more guidance to judges in such cases? She would be interested to hear about further measures to prevent child marriage among Syrian refugees, to deal with the difficulties encountered by Syrian couples in registering their marriages and by Syrian women in obtaining divorce documents and to ensure that courts and government agencies accepted alternative documents, such as asylum seeker certificates, as proof of identity for Syrian refugees.

43. **Mr. Tawalbeh** (Jordan) said that the courts accepted any documents that adequately proved the identity of an applicant, regardless of which authority had issued them. Although the minimum age for marriage was 18 years old, Syrian refugees had brought their customs and traditions in relation to early marriage with them, and efforts to prevent the practice had met with resistance. The Government did not condone early marriage but merely wished to ensure enhanced protection for children. To that end, an office had been opened in the Zaatari camp to document marriage contracts entered into in the camp. Judges respected the law in the exercise of their functions and did their best but of course they were not infallible. In addition, the interpretation of the law could change over time. There had been cases brought before the courts by Syrian refugees requesting authorization for marriages between children aged between 15 and 18 years old, which had been referred to them by the refugee authorities. Not all such requests were granted; in some cases additional guarantees had to be furnished prior to approval.

44. With regard to the Alimony Fund, the necessary resources had been requested to ensure that it was able to function properly. When it came to the inheritance rights of Christian women, although spouses of different religions were not entitled to inherit each other's property, both women and men had the right to draw up a will bequeathing part of their estate to their spouse. Given the complexity of the situation, a study had been carried out on the laws governing inheritance. It must be borne in mind that inheritance laws were based on sharia law, which was followed by 75 per cent of the population. Concerning the reservation to article 16, Jordan had merely exercised the right available to all States parties to make reservations to provisions of the Convention. The Government did not wish to shock public opinion by withdrawing the reservation to article 16, as it might give rise to further challenges.

45. With regard to custody, the best interests of a child were assessed by the judge, who took a decision based on his or her moral conscience, and the father's views had no bearing on the outcome. Families could appeal decisions to a higher court, but the best interests of the child always prevailed. There was ongoing dialogue concerning women's status and rights. The Personal Status Act had been discussed by all relevant stakeholders, including legal experts and civil society prior to its adoption; all proposed amendments had been referred to the courts and the Government.

46. **Ms. Patten** said that the Committee understood that States parties were entitled to make reservations to provisions of the Convention, but there was an expectation that such reservations would be reviewed with a view to withdrawing them.

47. **Ms. Majali** (Jordan) said that she wished to thank the Committee for the dialogue. The delegation had taken note of the Committee's observations and looked forward to receiving its recommendations. She acknowledged the important role played by civil

society in supporting the State party's efforts. Jordan was committed at the highest level to implementing the Convention.

48. **The Chair** said that the Committee was grateful to the delegation for the constructive dialogue. It commended the State party on its efforts and encouraged it to take all necessary measures to implement the Committee's recommendations

The meeting rose at 5.15 p.m.